

CLERK'S OFFICE U.S. DIST. COURT  
AT ROANOKE, VA  
FILED

JAN 29 2020

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
LYNCHBURG DIVISION

JULIA C. DUDLEY, CLERK  
BY: *[Signature]*  
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UNITED STATES OF AMERICA,  
and COMMONWEALTH OF VIRGINIA  
*ex. rel.* DWIGHT OLDHAM

Plaintiffs,

v.

CENTRA HEALTH, INC.,

Defendant.

No. 6:18-cv-00088

**FILED IN CAMERA  
AND UNDER SEAL**

**NOTICE OF ELECTION BY THE UNITED STATES TO DECLINE INTERVENTION**

Pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4)(B), the United States notifies the Court of its decision not to intervene in this action.

Although the United States declines to intervene, we respectfully refer the Court to 31 U.S.C. § 3730(b)(1), which allows the relator to maintain the action in the name of the United States, providing, however, that the “action may be dismissed only if the court and the Attorney General give written consent to the dismissal and their reasons for consenting.” *Id.* Therefore, the United States requests that should either the relator or the defendant propose that this action be dismissed, settled, or otherwise discontinued, the written consent of the United States be obtained before a final ruling is issued.

Furthermore, pursuant to 31 U.S.C. § 3730(c)(3), the United States requests that all pleadings filed in this action be served upon the United States and that orders issued by the Court

be sent to counsel for the United States. The United States reserves its right to order any deposition transcripts and to intervene in this action, for good cause, at a later date. The United States also requests that it be served with all notices of appeal.

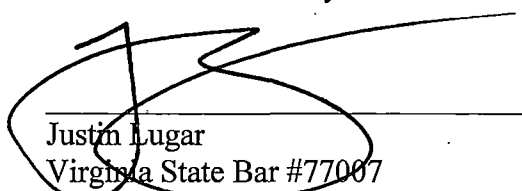
Finally, the United States requests that the relator's Complaint, this Notice, and the attached proposed Order be unsealed, and that all other papers on file in this action remain under seal because in discussing the content and extent of the investigation by the United States, such papers are provided by law to the Court alone for the sole purpose of evaluating whether the seal and time for making an election to intervene should be extended.

A proposed order accompanies this notice.

Dated: JAN. 28, 2020

Respectfully submitted,

Thomas T. Cullen  
United States Attorney



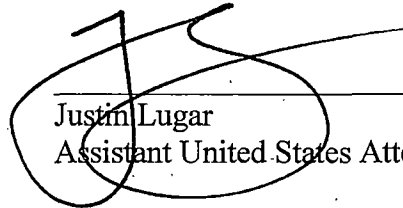
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Email: [justin.lugar@usdoj.gov](mailto:justin.lugar@usdoj.gov)

CERTIFICATE OF SERVICE

I certify that upon entry of the proposed Order in this case, this notice and the Order shall be served by mail or email upon counsel for the Relator as follows:

John Thomas  
Healy Haefemann Magee  
PO Box 8877  
Roanoke, VA 24014  
540-759-1660  
jt@hh.law

Pursuant to 31 U.S.C. § 3730(b)(2) this matter is under seal and, therefore, the undersigned will not serve the Defendant with this pleading.



Justin Lugar  
Assistant United States Attorney